

# PROCLAMATION

BY THE

Governor of the State of Texas

41-773

REPRODUCED FROM THE  
HOLDINGS OF THE  
TEXAS STATE ARCHIVES

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I am vetoing and filing with the Secretary of State House Bill Number 27, Regular Session of the Fifty-sixth Legislature, relating to authority of the State Board of Water Engineers to grant limited term permits.

As originally introduced, this bill simply would have confirmed the authority of the Board to grant water permits for a specified term of years. The Board has exercised such authority in the past under presently existing law. Among other instances are Permit No. 1799 granted to the City of Dallas and a similar permit to the City of Texarkana relating to the waters of Barkman Creek. Enactment of the bill as originally introduced would confirm rather than contradict the power and authority already being exercised by the Board under present laws.

However, an amendment to the bill was approved whereby the permissive authority for term permits was limited to those involving "between two hundred (200) acre feet and eight hundred (800) acre feet." Under the doctrine of "inclusio unius est exclusio alterius", this bill might be interpreted as a legislative expression against term permits for larger areas or quantities of water. Furthermore, the amendment itself is ambiguous in that it does not state whether it refers to quantity of water to be used per year or per term, or whether it relates solely to storage capacity in a reservoir. In the present state of our water laws, it would be compounding confusion to add another statute in the form contained in this bill as finally passed.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 1st day of June, A. D., 1959.

*Price Daniel*  
Governor of Texas

By the Governor:

*James T. ...*  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

11:45 P.M. O'CLOCK

JUN 1 - 1959

*James T. ...*  
Secretary of State

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